

REMARKS

I. Introduction

As a supplement to the Response filed February 13, 2009, Applicants have amended claim 8 to further clarify the subject matter of the disclosure. Support for the amendment may be found, for example, in paragraph [0064] of the specification. No new matter has been added.

Applicants appreciate the granting of an interview with the Examiner and supervisor on February 17, 2009, during which the § 102 rejections of claims 8-13 were discussed. During the interview, Applicants pointed out how the cited prior art (Guidash) does not disclose the limitation of independent claim 8 that a vertical direction position and a horizontal direction position of the first floating diffusion when viewed from the first photodiode are substantially the same as a vertical direction position and a horizontal direction position of the second floating diffusion when viewed from the second photodiode.

In response, the supervisor noted that upon first review, the above arguments do have some merit and that Guidash does not appear to have the structural relationships of the present disclosure. However, the supervisor also noted that the claim is vague because no reference point within the photodiode or floating diode is given. As such, the supervisor recommended amending claim 8 to more clearly define the relationship of the photodiode and floating diffusion within the pixel. The supervisor also recommended utilizing language from the present specification to support this feature. For example, paragraph [0064] of the specification states that both photodiodes **201** and floating diffusions **206** of pixels are substantially equal in shape and intra-pixel location.

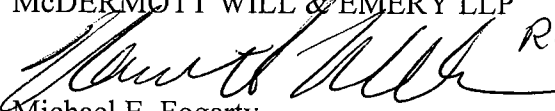
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As such, Applicants have amended claim 8 according to the Examiner's suggestion and accordingly, Applicants request that this supplemental amendment be entered and considered by the Examiner.

Having responded to all open issues set forth in the Office Action, it is respectfully submitted that all claims are in condition for allowance. To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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